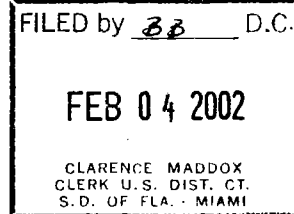


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2002-02

IN RE: MODIFICATION OF MAGISTRATE  
JUDGE PAIRING ASSIGNMENT PLAN  
(Southern/Miami Division)

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Pursuant to Administrative Order 99-27, the Court implemented a Magistrate Judge Pairing Assignment Plan in Miami. The pairing established in this Plan was for a period of three years commencing April 1, 1999. The current pairing expires March 31, 2002, therefore, it is hereby

**ORDERED** that commencing April 1, 2002, and for three years thereafter, the judges and magistrate judges for Miami will be paired as follows:

<b>Magistrate Judge Turnoff</b>	-	Judge Paul C. Huck Judge Shelby Highsmith
<b>Magistrate Judge Bandstra</b>	-	Judge Patricia A. Seitz Judge Highsmith replacement
<b>Magistrate Judge Brown</b>	-	Judge Adalberto Jordan Judge Ungaro-Benages
<b>Magistrate Judge Garber</b>	-	Judge Federico A. Moreno Judge Donald L. Graham
<b>Magistrate Judge Dubé</b>	-	Judge Davis replacement Senior Judge William M. Hoeveler
<b>Magistrate Judge Simonton</b>	-	Judge Joan A. Lenard Judge Alan S. Gold Land Condemnation cases
<b>Magistrate Judge O'Sullivan</b>	-	Judge K. Michael Moore Senior Judge James Lawrence King

In order to effect the orderly transfer of cases in accordance with the pairing plan, the following procedures apply:

I. As of April 1, 2002, and subsequently at the end of each three year period in all cases assigned to district judges with whom the magistrate judge is not paired, each magistrate judge shall retain until disposition all previously referred fully briefed motions. In addition, each magistrate judge shall dispose of all other referred motions that become ripe for disposition in such cases until all fully briefed motions have been ruled upon by the magistrate judge. Upon the magistrate judge's disposition of all fully briefed motions in any case assigned to a district judge with whom the magistrate judge is not paired, the magistrate judge shall certify to the district judge to whom the case is assigned that all such motions have been ruled upon and the district judge will then issue an order directing the clerk of court to transfer the case to the new "paired" magistrate judge. The magistrate judges shall use their best efforts to dispose of all motions in cases assigned to district judges with whom they are not paired within 60 days of the commencement of each three year rotation. At the conclusion of the 60 day period, each magistrate judge shall make a written status report to the Chief Judge about each such case retained from a judge with whom the magistrate judge is not paired.

Any consent trial, consent motion for summary judgment, and other "consent motion" shall remain with the magistrate judge who

was assigned to the case when the consent was given.

**II.** In the event of a lower-case transfer or a recusal by a district judge within 30 days of a case assignment, the clerk's office shall concurrently reassign the case to a district judge and the magistrate judge with whom the newly-assigned district judge is paired. In the case of all other district judge recusals, the procedures set forth in (I) above, shall apply

**III.** In any case filed after April 1, 2002, from which a magistrate judge recuses himself or herself, the clerk's office shall randomly assign another magistrate judge to the case. For any case filed before April 1, 2002, which is subject to transfer pursuant to the Court's magistrate judge pairing plan, but with respect to which the transferee magistrate judge recuses himself or herself, the case shall be returned to the transferor magistrate judge.

**IV.** District judges shall retain full discretion concerning the type and volume of matters referred. However, referrals shall be only to the "paired" magistrate judge, unless a district judge after conferring with and obtaining the agreement of the district judges with whom another magistrate judge is paired determines that a case or motions should be assigned to or remain with such other magistrate judge (e.g., because of a prior related case, because a magistrate judge has devoted substantial time to an unusually complex case, or for some other meritorious reason), and so notify the clerk in writing.

This Order vacates Administrative Order 2000-68.

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Broward County, Florida, this 1st day of February, 2002.



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WILLIAM J. ZLOCH  
CHIEF UNITED STATES DISTRICT JUDGE

c: Chief Judge R. Lanier Anderson, III, Eleventh Circuit  
All Southern District Judges  
All Southern District Magistrate Judges  
United States Attorney  
Federal Public Defender  
Chief Pretrial Services Officer  
Lucy Lara, Case Assignment Administrator  
Clarence Maddox, Court Administrator • Clerk of Court  
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